IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 13950 of 2007(I)

PETITIONER:

RADHAMMA, D/O. THANKAMMA,
RESIDING AT D.R. SADANAM, VATTAVILA DESOM,
KOTTUKAL P.O., VIA. BALARAMAPURAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:
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1. CIRCLE INSPECTOR OF POLICE,
VIZHINJAM.

2. SUB INSPECTOR OF POLICE,
VIZHINJAM.

3. SUTHAN,
D.R.SADANAM, VATTAVILA DESOM, KOTTUKAL P.O.,
VIA. BALARAMAPURAM, THIRUVANANTHAPURAM.

4. V.MINI MOL, W/O. SUTHAN,
D.R.SADANAM, VATTAVILA DESOM, KOTTUKAL P.O.,
VIA. BALARAMAPURAM, THIRUVANANTHAPURAM.

R1 & R2 BY GOVT.PLEADER SRI P.A.SALIM.
R3 & R4 BY ADV. SRI.SHINOD G.P.
SRI.RAMMOHAN.G.
SRI. MANU.V.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1	TRU COPY OF THE DOCUMENT NO.375/96 EXECUTED BY THE PETITIONER, HER HUSBAND AND THE 3RD RESPONDENT AND REGISTRED IN THE SUB REGISTRAR'S OFFICE, VENGANOOR.
EXT.P2	TRU COPY OF THE PLAINT O.S.NO.318/2006 FILED BY THE PETITIONER BEFORE THE MUNSIFF'S COURT, NEYYATTINKARA.
EXT.P3	TRUE COPY OF THE AFFIDAVIT AND THE ACCOMPANYING INTERIM APPLICATIONF FILED BY THE PETITIONER.
EXT.P4	TRUE COPY OF THE ORDER DTD. 12/4/2006 PASSED IN I.A.1673 IN OS.318/2006 OF THE 2ND ADDL. MUNSIFF'S COURT, THIRUVANANTHAPURAM.
EXT.P5	TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE RESPONDENTS 3 AND 4 IN O.S.318/2006 OF THE 2ND ADDL.MUNSIFF'S COURT. THIRUVANANTHAPURAM.
EXT.P6	TRUE COPY OF THE REPRESENTATION DATED 29/3/2006 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
EXT.P7	TRUE COPY OF THE REPRESENTATION DATED 18/4/2006 FILED BY THE PETITIONER BEFORE THE CHAIRPERSON OF THE STATE VANITHA COMMISSION.
EXT.P8	TRUE COPY OF THE REPRESENTATION DATD 23/12/2006 SUBMITTED BY THE PETITIONER BEFORE THE IST RESPONDENT.
EXT.P9	TRUE COPY OF THE FIR IN CRIM NO.411/06 OF VIZHINJAM POLICE STATION.
EXT.P10	TRUE ;COPY OF THE REPRESENTATION DTD. 19/3/2007 FILED BY THE PETITONER TO THE IST RESPONDENT.
EXT.P11	TRUE COPY OF THE EXTRACT OF THE ELECTORAL ROLL OF KOVALAM ASSEMBLY CONSTITUENCY.
EXT.P12	TRUE COPY OF THE EXTRACT OF THE IDENTITY CARD ISSUED BY THE ELECTION COMMISSION OF INDIA.
EXT.P13	TRUE COPY OF THE EXTRACT OF THE RATION CARD.
EXT.P14	TRUE COPY OF THE EXTRACT OF THE BUILDING TAX RCEIPT DTD. 4/4/2007 FOR THE YEAR 2007-08 RELATING TO BUILDING NO.VP.X/493 ISSUED BY THE VIZHINJAM GRAMA PANCHAYAT.
EXT.P15	TRUE COPY OF THE EXTRACT OF THE BUILDING TAX RECEIPT DATED 4/4/2007 FOR THE YEAR 2007-08 RELATING TO BUILDING NO.VP.X/491 ISSUED BY THE VIZHINJAM GRAMA PANCHAYAT.

// TRUE COPY //

P.S. TO JUDGE.

KNC/-

P.R. RAMAN & K. HEMA, JJ.

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W.P.(C) NO. 13950 OF 2007

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DATED THIS, THE 11TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Petitioner, who is the mother complains that her son - the third respondent, along with the 4th respondent - her daughter in-law, is continuously torturing her both physically and mentally with the idea that she may ultimately leave from their residential house. Though protection was sought from police, no effective steps are taken and hence petitioner has approached this court.

2. Notice was issued to respondents 3 and 4 who entered appearance through counsel. Learned counsel appearing on behalf of Respondents 3 and 4 undertakes that no torturing as alleged has ever happened nor will they cause any trouble to the petitioner. On the other hand, the third respondent undertakes to maintain his mother and she will have a peaceful living in the residential house.

3. Since both the parties have a right of residence and in view of the undertaking given by the respondents, we close this writ petition; however, with liberty to the petitioner to approach this Court , in case. an occasion arises in future.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-